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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 ANDREA KAY, individually and on behalf of
11 all others similarly situated,

12 Plaintiffs,

13 v.

14 WELLS FARGO & COMPANY,
15 WELLS FARGO BANK, N.A., NORTH STAR
16 MORTGAGE GUARANTY REINSURANCE
17 COMPANY,

18 Defendants.
19 _____/

No. C 07-01351 WHA

**ORDER DISMISSING
CASE**

20 The Court has read the declarations. As stated at the conference, this action must be
21 dismissed and is now dismissed with prejudice as to the named plaintiff only without prejudice
22 to a similar class action being filed. Plaintiffs' counsel proposed form notice to certified class
23 regarding dismissal of the class action is **APPROVED** and must be made within ten days.
24 However, if a new suit is filed within 72 hours of this dismissal, then the Court will presume no
25 prejudice to the putative class and no notice need be given. The new suit can be filed wherever
26 counsel wishes. If it is filed within this district, then it will likely be related to the undersigned.

IT IS SO ORDERED.

27 Dated: January 28, 2008.

28 

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE